

REMARKS

This response is submitted in response to the non-final fourth Office Action of May 8, 2003 and respectfully requests that the Examiner reconsider the rejection of the claims as set forth therein in view of the foregoing amendment and the following remarks.

The applicant filed a Response Under 37 C.F.R. §1.111 on October 8, 2002 to the non-final second Office Action of July 5, 2002. The Final Rejection of December 16, 2003 is in reply to the applicant's Response After Final Rejection Under 37 C.F.R. §1.116 filed on October 8, 2002. The Final Rejection essentially repeats the rejections of the non-final second Office Action of July 5, 2002. The applicant responded to the Final Rejection in a Response After Final Rejection Under 37 C.F.R. 1.116 recorded on February 27, 2003. In view of the new grounds of rejection, in the current Office Action of May 8, 2003, the Examiner withdrew the finality of the rejection.

Allowable Subject Matter: Claims 4, 6, 10, 12, 16 and 18

As noted previously in the Final Office Action of December 16, 2002, the Examiner again states that claims 4, 6, 10, 12, 16 and 18 are objected to as being dependent upon a rejected base claim but would be allowable if rewritten into independent form including all of the limitations of the base claim and any intervening claims.

In response, the applicant has cancelled claims 1, 7 and 13 without prejudice. The applicant has not abandoned the subject matter of claims 1, 7 and 13 and reserves the right to file a continuation application directed thereto.

The applicant has rewritten allowable claim 4 into independent form including all of the limitations of base claim 1.

The applicant has changed the dependency of claims 2 and 5 from cancelled claim 1 to now independent claim 4.

The applicant has rewritten allowable claim 10 into independent form including all of the limitations of base claim 7.

The applicant has changed the dependency of claims 8 and 11 from cancelled claim 7 to now independent claim 10.

The applicant has rewritten allowable claim 16 into independent form including all of the limitations of base claim 13.

The applicant has changed the dependency of claims 14 and 17 from cancelled claim 13 to now independent claim 16.

No new matter has been added. Therefore, the applicant maintains that claims 2-6, 8-12, and 14-18 are now allowable.

35 U.S.C. §102(e) Rejections: Claims 1-3, 5, 7-9, 11, 13-15 and 17

The Examiner has rejected claims 1-3, 5, 7-9, 11, 13-15 and 17 under 35 U.S.C. 102(b) as being anticipated by Eda et al (US 5,387,888 - filed April 1, 1993 - issued February 7, 1995).

The applicant directs the Examiner's attention to the fact that claims 1, 7 and 13 have been cancelled without prejudice. Claims 2-3 and 5-6 now depend directly or indirectly from allowable claim 4. Claims 8-9 and 11-12 now depend directly or indirectly from allowable claim 10. Claims 14, 15 and 17 now depend

directly or indirectly from allowable claim 16. Claim 18 remains dependent on allowable claim 16.

Consequently, the applicant respectfully requests that the Examiner withdraw the rejections of claims 2-3, 5, 8-9, 11, 14-15 and 17 under 35 U.S.C. 102(b).

The foregoing Remarks establish the patentable nature of all of the unallowed claims in the application, i.e., claims 1-3, 5, 7-9, 11, 13-15 and 17. No new matter has been added, wherefore, early and favorable reconsideration and issuance of a Notice of Allowance are respectfully requested.

Respectfully submitted,

A handwritten signature in black ink that reads "Anthony M. Fresco". The signature is written in a cursive, flowing style.

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